

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA

IRIS POUNDS, CARLTON)
MILLER, VILAYUAN SAYAPHET-)
TYLER, RHONDA HALL and)
PIA TOWNES, on behalf of)
themselves and all others)
similarly situated,)
)
Plaintiffs,)
)
v.) Civil Action No. 1:16-CV-1395
)
PORTFOLIO RECOVERY)
ASSOCIATES, LLC,)
)
Defendant.)
)

PLAINTIFFS' MOTION TO REPLACE PAGES 8-9 OF ATTACHMENT 9 TO
DOCKET ENTRY 1 WITH A REDACTED VERSION
TO PROTECT PERSONAL INFORMATION

The Plaintiffs, by and through undersigned counsel, pursuant to F.R.Civ.P. 5.2, hereby respectfully move this Court for an Order directing the Clerk to replace two pages of a document filed with this court in the above-captioned case with a redacted version of the same in order to protect personal information contained therein. The two pages in question appear as pages 8-9 of the composite Attachment 9 to Docket Entry No. 1: Defendant's Petition

for Removal. In support of this Motion, Plaintiffs show as follows:

1. On November 21, 2016, the Plaintiffs filed a Class Action Complaint in the Superior Court of Durham County, North Carolina (16-CVS-5190). In conjunction with the filing of the class action complaint, the Plaintiffs filed a Motion for Preliminary Injunction and a Motion for Class Certification, together with Exhibits 1 through 69 in support thereof.

2. Plaintiffs' counsel inadvertently filed an un-redacted version of an exhibit attached to the affidavit of one of the named Plaintiffs. The affidavit was filed in state court as Exhibit 2 to the Exhibits filed in support of the Plaintiffs' Motion for Class Certification and Motion for Preliminary Injunction (Bates labelled POUNDS EX 0003-0008). More specifically, two pages of the second attachment to that affidavit contain certain personal information regarding the affiant and named Plaintiff (Bates labelled pages 0007-0008). The un-redacted copy was served on Defendant. Consequently, when counsel for Defendant electronically filed its Petition for Removal on

December 9, 2016 in the present action before this Court [DE#1], defense counsel filed the un-redacted two pages in question within its composite Attachment 9 to the Petition.

3. For this reason, Plaintiffs respectfully seek herein the replacement of the two pages containing personal information with a redacted version of the same.

4. Undersigned counsel certifies that she has conferred with counsel for Defendant PRA and said counsel consents to the replacement sought herein.

5. Plaintiff further certifies that the instant motion is made in good faith, and on the grounds that F.R.Civ.P. 5.2 provides for the redaction requirement and allows the privacy protection of electronic filings made with the court.

6. In light of the foregoing, Plaintiffs respectfully request an Order directing the Clerk to replace pages 8-9 of Attachment 9 to Docket Entry No. 1 with the redacted version of those two pages attached hereto as **Exhibit A.**

This, the 25th day of January, 2017.

/s/ Carlene McNulty
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that opposing counsel in this case are registered as Filing Users of the Electronic Filing System maintained by this Court, and that electronic transmission of this document to the Electronic Filing System with transmission of the Notice of Electronic Filing therefore constitutes service of the filed document pursuant to MDNC Local Rule of Civil Practice 5.3(b) (2).

This, the 25th day of January, 2017

/s/ Carlene McNulty
Carlene McNulty